

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

George Huey Morris

Plaintiff

v

Thomas M. Goggans

Defendant

CIVIL ACTION: 2:05-CV-1069-T

OBJECTION TO THE RECOMMENDATION
OF THE MAGISTRATE JUDGE

COMES NOW THE PLAINTIFF GEORGE HUEY MORRIS WHO FILES THIS AMENDED OBJECTION TO THE RECOMMENDATION OF THE MAGISTRATE JUDGE CONTAINING ADDITIONAL INFORMATION SUBMITTED FOR CONSIDERATION BY THIS HONORABLE COURT.

PLAINTIFF HAS WITHDRAWN HIS REQUEST TO MOVE FORWARD IN FORMA PAUPERIS. PLAINTIFF HAS PAID IN FULL HIS FILING FEE. PLAINTIFF THEREFORE PRAYS THAT THIS COURT RENOUNCE ITS RIGHTS TO SCREEN THIS COMPLAINT IN ACCORDANCE WITH THE PROVISIONS OF 28 U.S.C. § 1915(e)(2)(B).

PLAINTIFF INFORMS THE COURT THAT THE COMPLAINT IS NOT A 42 U.S.C. § 1983 ACTION AND THAT HE IS NOT OBLIGATED TO PROVE a deprivation of a right secured by the Constitution and laws of the United States nor a deprivation of a right secured by the defendant acting UNDER COLOR OF STATE LAW.

THE MAGISTRATE JUDGE HAS ERRONEOUSLY CONCLUDED THAT PLAINTIFF IS ONLY ALLEGING INEFFECTIVE ASSISTANCE OF COUNSEL DURING PRE TRIAL PROCEEDINGS ON VARIOUS CRIMINAL PENDING CHARGES. IT IS MORE CORRECT TO SAY THAT MR GOGGANS WOULD NOT COMMUNICATE WITH THE PLAINTIFF DURING PRETRIAL PROCEEDINGS. MR GOGGANS WAS INEFFECTIVE BECAUSE HE FAILED TO COMMUNICATE WITH THE PLAINTIFF ABOUT ANYTHING. HE WOULD NOT COMMUNICATE ABOUT HIS FAILURE TO COMMUNICATE. HE FAILED TO COMMUNICATE AT ALL. IN FACT, HIS FAILURE TO COMMUNICATE HAD TO HAVE BEEN PURPOSEFUL.

PLAINTIFF HIRED MR GOGGANS TO FILE AN APPEAL TO *MORRIS v JACKSON et al*; THIS COMPLAINT WAS HEARD IN THIS U.S. COURT AND IT INVOLVED THE SEIZURE OF 1000 BOOKS ENTITLED "virginbivide.net" AND 800 COMPACT DISCS "YOUNG MODELS" ON THE PREMISE THAT SAID MEDIA WERE CHILD PORNOGRAPHY.

THE CASE GENERATED AN ENORMOUS AMOUNT OF PUBLICITY, MOST OF WHICH SEEMED TO SUPPORT THE NOTION THAT THE BOOKS WERE ILLEGAL AND THAT THIS PLAINTIFF WAS A CHILD PORNOGRAPHER. SEARCH WARRANTS SEEKING CHILD PORNOGRAPHY WERE LATER EXECUTED UNSUCCESSFULLY SEEKING ILLEGAL PHOTOGRAPHY. IN FACT, A NON-STOP VENDETTA ENSUED THAT EFFECTIVELY RUINED THIS PLAINTIFF AND PLACED HIM IN JAIL. THOSE CRIMINAL CASES FOR WHICH THE PLAINTIFF HIRED MR GOGGANS RESULTED FROM THIS VENDETTA.

AFTER THIS COURT REJECTED THE PLAINTIFFS' CLAIMS CONCERNING THE MEDIA SEIZURE ON THE BASIS OF QUALIFIED IMMUNITY, THE UNDERSIGNED HIRED MR GOGGANS TO FILE AN APPEAL TO THE U.S. ELEVENTH CIRCUIT COURT. THIS PLAINTIFF HAD ALREADY FILED THE REQUIRED NOTICE OF APPEAL.

RATHER THAN FILE THE APPEAL, THIS DEFENDANT FILED A MOTION TO DISMISS THAT CASE. HE DID IT WITHOUT THE PLAINTIFFS' PERMISSION OR KNOWLEDGE. THE UNDERSIGNED LEARNED ABOUT THAT MOTION AFTER HE RECEIVED A COPY VIA U.S. MAIL. IT IS RATHER EASY TO SPECULATE THAT HE DISMISSED THAT CASE AT THE REQUESTS OF MORRIS' ADVERSARIES WITH WHOM MR GOGGANS MUST WORK ON A DAILY BASIS, THE ALABAMA ATTORNEY GENERAL'S OFFICE IS REPRESENTING COVINGTON COUNTY WHO SEIZED SAID MEDIA. MATTHEW BEAM IS THIS PLAINTIFFS' ADVERSARY IN THAT CASE IN UNITED STATES COURT.

THE DEFENDANT THEN EXPRESSED HIS INTEREST IN DISMISSING ANOTHER FOURTH AMENDMENT CASE INVOLVING THE ILLEGAL SEARCH OF PLAINTIFFS' VEHICLE WITHOUT A WARRANT; ANOTHER ALABAMA ATTORNEY GENERAL CASE. THE ONLY COMMUNICATION THE DEFENDANT PROVIDED WAS HIS RECOMMENDATION TO DISMISS THIS CASE.

THOMAS GOGGANS ACTIONS NOT ONLY MADE IT DIFFICULT TO PROCEED IN THOSE TWO CIVIL CASES; THEY MADE IT VIRTUALLY IMPOSSIBLE TO UNDERSTAND, MUCH LESS TO PROCEED IN THE CRIMINAL CASES THAT WERE GENERATED AS A DIRECT RESULT OF THE CIVIL CASES.

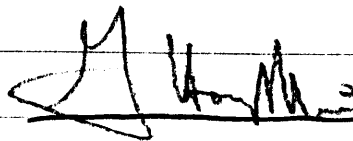
THIS PLAINTIFF PAID THE DEFENDANT \$5000⁰⁰ TO REPRESENT HIM IN CASES THAT HE REFUSED TO DISCUSS. HIS LACK OF COMMUNICATION WAS SO COMPLETE THAT THIS PLAINTIFF Hired ANOTHER ATTORNEY TO REPRESENT HIM WITHOUT THE KNOWLEDGE OF MR. GUGGONS.

THIS PLAINTIFF IS A FEDERAL PRISONER WITH NO ACCESS TO A LAW LIBRARY OR REFERENCE MATERIALS. THE MAGISTRATE INFORMS PLAINTIFF THAT FRIVOLOUS, CONCLUSIVE OR GENERAL OBJECTIONS WILL NOT BE CONSIDERED BY THE DISTRICT COURT. THE MAGISTRATE, HOWEVER, HAS MADE CRITICAL COMMENTS THAT GENERALIZE ABOUT A 23 PARAGRAPH DOCUMENT THAT CONTAINS SPECIFIC COMPLAINTS. TO ALLOW THE COMPLAINT TO REMAIN UNANSWERED WOULD BE THE ULTIMATE LACK OF COMMUNICATION BY THIS DEFENDANT.

Respectfully Submitted To This Court By

12 DEC 2005

DATE



GEORGE HUEY MORRIS

FEDERAL ANNEX

MONTGOMERY CITY JAIL

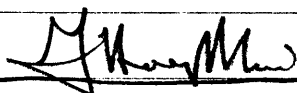
MONTGOMERY, ALABAMA 36101

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE PROVIDED A COPY OF THIS OBJECTION TO THE MOTION OF THE MAGISTRATE JUDGE TO THE DEFENDANT BY PLACING SAME IN THE U.S. MAIL POSTAGE PREPAID AND PROPERLY ADDRESSED AS FOLLOWS.

THOMAS M. GOGGANS
ATTORNEY AT LAW
2030 EAST SECOND STREET
MONTGOMERY, AL. 36106

MAILED ON: 10 DEC 05

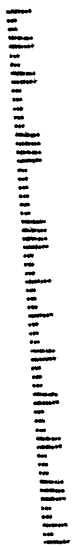

GEORGE HUEY MORRIS
FEDERAL ANNEX
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2:05cv1069

George Henry Harrison
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INMATE MAIL
Montgomery City Jail

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